IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

Bail Appl..No. 7371 of 2007()

CMP.5513/2007 of J.M.F.C.,KASARAGOD

CRIME NO.713/2007 OF KASARGOD POLICE STATION

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: PETITIONERS/ACCUSED NO. 2 & 3

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1. ABOOBACKER SIDDIQUE,
   S/O B.K.ALI, OLAYATHADUKKA,
   SHIRIBAGILU.

2. SATHAR K., S/O KUNHALI,
   SP NAGAR, ANDUCHA'S QUARTERS,
   OLAYATHADUKKA.

BY ADV. SRI.SOJAN MICHEAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.7371 of 2007

Dated this the 30th day of November 2007

O R D E R

Application for regular bail. The petitioners are accused 2 and 3. Altogether there were five accused persons. One of them has been deleted from the array now. The crux of the allegations is that the accused persons who were arrested in a crime were released on bail on the date of the occurrence. They allegedly went to the office of a political party to which they owed allegiance. They raised the grievance that while they were in custody, proper steps were not taken to procure their interest. They attacked the de facto complainant. They indulged in acts of violence. Incident took place on 26/10/2007. The petitioners were arrested on 7/11/2007. They continue in custody from that date.

2. The learned Public Prosecutor submits that the injury suffered by the victims are not serious. The State has no objection against grant of regular bail to the petitioners who have remained in custody from 7/11/2007; but in the interests of avoiding untoward incident in the locality, appropriate

conditions may be imposed, it is prayed. I am satisfied that the petitioners can be granted regular bail. In the absence of opposition, it is not necessary to advert to facts in greater detail. Appropriate conditions can of course be imposed.

3. In the result, this petition is allowed. The petitioners shall be released on bail on the following terms and conditions:

i) They shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

iii) During the said period of two months, the petitioners shall not enter the jurisdiction of Kasaragod police station without the prior permission of the learned Magistrate except for the purpose of complying with condition No.ii) above.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007